

CALIFORNIA APPRENTICESHIP COUNCIL

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**CALIFORNIA APPRENTICESHIP COUNCIL QUARTERLY MEETING
MINUTES OF THE MEETING**

**HYATT REGENCY HOTEL, SF AIRPORT
MAY 3-4, 2007**

THURSDAY- MAY 3, 2007

I. CONVENE REGULAR QUARTERLY MEETING TO ORDER- May 3, 2007

CAC Chairperson Cedric Porter called the meeting to order at 1:30 p.m.

A. Pledge of Allegiance

Fred Dunn led the Pledge of Allegiance.

B. Roll Call

The following Commissioners were present: Anne Quick, Cedric Porter, Patrick McGinn, Neil Struthers, Bert Tolbert, Dick Zampa Jr., Dina Kimble, Wayne Lindholm, William Callahan, Jr., Leo Garcia, Rick Rice, Jose Millan, Aram Hodess, Acting Director John M. Rea and Chief Dave Rowan.

The following Commissioners were absent: Carole Cresci Colbert and Marvin Kropke.

A quorum was present.

Acting Director John Rea introduced new Commissioner Rick Rice.

C. Approval of Minutes of January 25-26, 2007 CAC Meeting

It was moved and seconded that the minutes of the last CAC quarterly meeting held on January 25-26, 2007 be accepted as written. All were in favor; the motion carried.

D. Announcements:

1. Chief Rowan announced the formation of an advisory committee to the Chief to develop a proposal for standards or guidelines for pre-apprenticeship programs. Commissioner Callahan was asked to chair the committee. Commissioner Callahan will request volunteers at a later date.

2. Deputy Chief Glen Forman announced the availability of a new DAS web page that will provide prevailing wage and fringe rates for apprentices.

3. Chairperson Cedric Porter presented Fred Dunn with a certificate commemorating his sixty years of service to Apprenticeship Community.

E. Communications: The following communications were received since the last meeting.

1. CAC Counsel, Julian Standen's letter to the commissioners regarding the OATELS decision.
2. DAS' 6 month report to the Bureaus of State Audits.
3. Chief's letter to commissioners regarding DAS audit results.

II. EXECUTIVE SESSION

The Council adjourned to executive session

III. BUSINESS SESSION

A. LEGAL MATTERS

1. OATELS - De-recognition Proceedings 29 CFR 29.13 - The CAC has not yet decided whether or not to appeal the Administrative Review Board's January 31 decision upholding Judge Vittone's April 2005 ruling that DOL can derecognize California on the basis that the "need" standard contained in Labor Code Section 3075 does not conform to federal apprenticeship law.
2. California Pipe Trades, et. al. v CAC, San Francisco Superior Court Case No. CPF 05-505615 – This case is still pending in the Court of Appeals. A decision is expected by the Council's next meeting.
3. Plasterers Union 200 v CAC – This case is in the initial stages of litigations and the administrative record-is still being assembled. No trial date has been set.

Commissioner Callahan asked Julian Standen, Attorney General's Office, for an update on the status of the amendments to 8_CCR212.01. Julian said he would refer the question to Carole Belcher.

Chairperson Porter opened the floor for question or comments on the de-recognition issue. No comments or question were offered

B. CAC Appeal Board Decisions

1. Matt Trout v L.A. Electrical JATC – CAC Case No. 07-CAC-01
2. Gerard L. Whittaker v Riverside Area Electrical JAC – CAC Case No. 07-CAC-02

The Appeal Board has not yet met to decide these cases.

C. Apprenticeship Complaint Findings

There were six decisions issued during the first quarter. In two of the cases the Administrator overturned the program's decision to terminate. In the other four cases,

the program's decision was upheld.

1. Geraldo L Whittaker v Riverside Area Electrical JAC
2. Matt A. Trout v LA Electrical JA & ETC
3. Brendan Navarret v United Association Union 342 JA&TC
4. David L. Ellis v Santa Clara County Sheet Metal JAC
5. David Womack v JAC for Operating Engineers for the 46 Northern Counties in California
6. Gabriel Ross v Oakland Field Ironworkers Local # 378 JA&TC

Chief Rowan will present to the CAC at a future meeting a summary of common findings regarding audits and appeals.

D. Automatic Orders of the Council.

There are four and they are listed in the Public Binder.

E. Notice of Appeals to the Council during the quarter

There are no new appeals to report.

F. Old Business

1. Electrician Certification Status Report – Ms. Luisa Martinez from the DAS Electrician Certification Unit gave an update on the electrician certification process as of April 5, 2007. (Report attached.)
2. Electrician Certification- Thompson Prometric (Testing Partner) - Ms. Elizabeth Shamla provided an update on certification testing (report attached).
3. Minimum Industry Training Criteria Committee Reports
 - a. Construction Craft Laborer – Brian Goyette/Jeff Armstrong - Report attached.
 - b. Voice, Data, Video Technician – Don Davis – Report attached.

Chairperson Porter suggested that the CAC defer the decision on whether to adopt the Construction Craft Laborer training criteria until the Commissioners have had time to review the report. The discussion will resume on May 2, 2007 under “old business”.

G. New Business

1. DAS Audit Report

Chief Rowan reported that DAS initiated five program audits during the first quarter. Three audits are complete and two are in the final stages of completion. There are four audits currently scheduled for the 2nd quarter and more will be added in June.

It was moved and seconded to accept the DAS audit report as given. All commissioners voted in favor; The motion passed.

IV. FORUM – Preparing Workers for Apprenticeship

Ms. Renee Bacchini, Special Consultant DAS, presented a brief summary of the last forum: Best Practices for completion of Apprenticeship Programs. She advised the CAC and the apprenticeship community that the report is available on the DAS website. Ms. Bacchini also informed the CAC that DAS is partnering with the Employment Development Department (EDD), California Department of Veterans Affairs and Community Colleges in working with community-based organizations to educate employers about Apprenticeship. Several DAS consultants are participating in workshops and providing their expertise to employers. A few of the events in which DAS has participated include: San Diego Construction Expo, Women Building California, Apprenticeship Forums and Hire a Hero, Hire a Vet Resource Fairs.

Ms. Bacchini put together a presentation on preparing workers for Apprenticeship. The following representatives shared a provided ten-minute presentations on their respective Pre-Apprenticeship Programs.

1. **Helmet to Hardhats – Dan Lozano**

The Helmet to Hardhats program was created in 2002. The program was initiated by the Building & Construction Trades Department with the concept of recruiting men and women leaving the military into apprenticeship programs. The program educates veterans about the benefits of apprenticeship and assists them in learning how to transfer their skills into apprentice-able occupations.

2. **Pre Apprenticeship in the Los Rios Community College System - Cris McCullough**

Pre-apprenticeship programs have been part of the community college program for a long time. In the 70's & 80's the community college focused on preparing minority men and women for apprenticeship programs in industrial maintenance and mechanical trades. The program was open-entry/open-exit utilized competency based instruction and was non-credit. In the 90's the focus changed. Pre-Apprenticeship focused more on women and students of color. Student support services were emphasized. Career preparation, credit-certificate and degree program became available, ranging from one semester to two years and focusing more on construction.

3. **LA Unified School District- “WE Build” - Anabel Barraga**

The mission of the program is to provide local District residents an opportunity to participate in the construction and modernization of neighborhood schools by providing pre-apprenticeship construction training and facilitating placement in Union apprenticeship training programs.

4. **Century Community Training Program – Frank Garcia**

Century Community Training is a private non-profit program. The program has been around for over 20years. It offers an extensive 8-week training course, preparing men and women to meet requirements for entering apprenticeship programs.

Ms. Bacchini thanked the guest speakers and advised the CAC that these programs are only a small sample of the many organizations that are preparing workers for entry into full-fledged apprenticeship programs.- DAS is working to gather more information about pre-apprenticeship programs, and as was announced earlier, the Chief is forming a special advisory committee on this subject.

Pat Pico announced there would be reception this evening in the Regency C Room. He thanked the sponsors: Bay Area Apprenticeship Coordinators Group (BAACA), North Bay Coordinators Group, South Bay Coordinator Group, and California Association for the Advancement of Apprenticeship Training (CAAAT) and the California Apprentice Coordinators Association (CACA).

Chairperson Porter reminded everyone that the meeting would reconvene the next morning at 9:00 a.m.

The meeting was adjourned at 3:45 p.m.

FRIDAY- MAY 4, 2007

I. RECOVENE QUARTERLY CAC MEETING TO ORDER

Chairperson Porter called the meeting to order at 9:00 a.m.

A. Pledge of Allegiance

Commissioner Kimble led the Pledge of Allegiance.

B. Roll Call

The following Commissioners were present: Cedric Porter, Marvin Kropke, Patrick McGinn, Neil Struthers, Bert Tolbert, Dick Zampa, Jr., Dina Kimble, William Callahan, Jr., Wayne Lindholm, Leo Garcia, Anne Quick, Rick Rice, Jose Millan, Aram Hodess, Director John M. Rea and Chief Dave Rowan.

The following Commissioners were absent: Carole Cresci-Colbert and Marvin Kropke.

A quorum was present.

C. Announcements

1. Jeff Armstrong, Northern California Laborers, informed the CAC that the Minimum Industry Training Criteria Committee for the Laborer craft is withdrawing its draft criteria document and will resubmit it to the CAC with corrections at the July meeting.
2. Chief Rowan announced that Hawaiian shirts from previous CCA events are for sale for \$10.00 each.

D. Communications – There were none.

II. CAC STANDING COMMITTEE REPORTS

A. CCA Meeting of May 2, 2007 – Darell Lawrence - Report attached.

B. Equal Opportunity in Apprenticeship Meeting of May 2, 2007 – Anne Quick - Report attached.

D. Occupational Safety & Health Meeting of May 2, 2007 – Leo Garcia - Report attached

E. Standards, Rules, Regulations & Operating Procedures Meeting of May 3, 2007 – Aram Hodess - Report attached.

F. Legislation Meeting of May 3, 2007 – William Callahan - Report attached.

III. EDUCATION AGENCIES REPORT

A. California Department of Education - Al Tweltridge – Report attached.

B. California Community Colleges - Barry Noonan – Report attached.

IV. REPORTS OF ADMINISTRATIVE AND COOPERATING AGENCIES

A. Division of Apprenticeship Standards – Chief Rowan - Report attached.

B. Office of Apprenticeship – Deputy Chief Glen Forman gave a brief oral report.

C. Office of Apprenticeship DOL – Michael Longeuay/Patricia Garcia – Report attached.

D. California Apprenticeship Coordinators Association (CACA) – Pat Pico – Report attached. In addition to his report, Mr. Pico acknowledged Dan Huely for the all years he has given to CACA and the California Apprenticeship community.

E. California Association for the Advancement of Apprenticeship Training (CAAAT) – Trish Black – Report attached.

F. Women in Non-Traditional Employment Roles (WINTER)- No representative present

G. CDCR Juvenile Justice Division – No representative present.

H. Veteran's Administration – Emile Vinet, Jr. gave a brief oral report.

I. National Association of State and Territorial Apprenticeship Directors (NASTAD) – Glen Forman gave a brief oral report.

V. ADJOURNMENT

Chairperson Porter thanked everyone for coming and participating in the meeting.

Acting Director John Rea made brief closing remarks.

The meeting adjourned at 11:15 a.m.

RESPECTFULLY SUBMITTED: